

**IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD**

(Special Original Jurisdiction)

TUESDAY, THE TWENTY EIGHTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE GODA RAGHURAM

WRIT PETITION NO : 13788 of 2005

Between:

B.Swamy S/o.Late Narasanna
R/o.Kakileru Village Iragavaram Mandal,

West Godavari District.

..... PETITIONER

AND

1 The Assistant Commissioner,

Eluru, West Godzavari District.

2 The Manager,

Kothapadu Group temples
Kottapadu Tanuku Mandal
West Godavari District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate writ order or direction more particularly in the nature of writ of mandamus declaring the impugned notice bearing Nos.28/05 and 32/05 dt.8.4.2005 issued under Rule 5 (1) of Rules 2003 under Act 30 of 1987 as arbitrary illegal capricious and violative of rights guaranteed to the petitioner herein under Rules 2003 and consequently direct the respondent herein not to dispossess the petitioner herein from the lands of Ac 7.44 cents in RS No.130 of Kakileru Village of Iragavaram Mandal of West Godavary District without completing the enquiry as to his status of landless poor by the 1st respondent.

Counsel for the Petitioner: Mr. SAI GANGADHAR CHAMARTY

Counsel for the Respondent No.1: GP FOR ENDOWMENTS

Counsel for the Respondent No.2 : Smt. N.INDRANI.

The Court, at the stage of admission, made the following:

ORDER:

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Learned counsel for the petitioner is permitted to withdraw the writ petition with liberty to file afresh.

(GODA RAGHURAM,J)

28th June, 2005.

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To

1 The Assistant Commissioner,
Eluru, West Godzavari District.

2 The Manager,
Kothapadu Group temples
Kottapadu Tanuku Mandal
West Godavari District.

3 Two CCS to the GP for Endowments,
High Court of A.P., Hyderabad (O.U.T.)

4 Two CD copies

